

MINUTES  
**HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE**

**DATE:** Thursday, February 25, 2021

**TIME:** 1:30 P.M.

**PLACE:** Room EW42

**MEMBERS:** Chairman Chaney, Vice Chairman Hartgen, Representatives Kerby, Amador, Ehardt, Scott, Marshall, Troy, Young, Nate, Cannon, Erickson, Skaug, Gannon, McCrostie, Ruchti, Nash

**ABSENT/  
EXCUSED:** Representative(s) Amador, Ehardt

**GUESTS:** Kirk Adam and Elisa Massoth, self; Roy Eiguren, Triton; Julia Piaskowski, Idaho Prison Project; Marc Ebel, Aladdin Bail Bonds; Lauren Bramwell, ACLU of Idaho; Tom Arkoosh, IACDL and self; Tim Monti-Wohlpert, American Adoption Congress

**Chairman Chaney** called the meeting to order at 1:32 p.m.

**H 152:** **Rep. Linda Hartgen**, District 24, Chairman, Landlord/Tenant Subcommittee, presented the subcommittee's recommendation for **H 152**, for a separate security deposit account at a federally-insured financial institution for rentals managed by a third-party. The subcommittee recommends **H 152** be sent to the floor with a **DO PASS** recommendation.

**MOTION:** **Rep. Hartgen** made a motion to send **H 152** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Scott** requested she be recorded as voting **Nay.** **Rep. Troy** will sponsor the bill on the floor.

**Chairman Chaney** turned the gavel over to **Vice Chairman Hartgen.**

**H 151:** **Rep. Greg Chaney**, District 10, presented **H 151**. This legislation requires charitable bail organizations registration in alignment with the Idaho Bail Act. They must also disclose their bonding payment source. Both changes ensure public safety and transparency.

**Roy Eiguren**, representing Triton Management Services aka Aladdin Bail Bonds, and the Idaho Bail Coalition, testified **in support** of **H 151**. Charitable bail should be subject to the same regulations as other bail agents and underwriting insurance companies.

**Marc Ebel**, Attorney, Director, Legislative Services, Aladdin Bail Bonds, testified **in support** of **H 151**. He described the standard details of bail releases for both regular surety bail and bail via charitable organizations.

**Lauren Bramwell**, ACLU, testified **in opposition** to **H 151**, indicating contradictions with existing criminal codes.

**Julia Piaskowski**, Idaho Prison Project, testified **in opposition** to **H 151**. This legislation targets poor people who cannot afford bail. It could negatively impact both individuals and churches.

The committee invited **Tom Arkoosh**, Idaho Association of Criminal Defense Lawyers (IACDL), to testify. Not commenting on **H 151**, he did not know of any charitable bail organization problems. The IACDL members have not been polled regarding the issue.

In closing, **Rep. Chaney** described an incident when an individual released on a charitable bail immediately perpetrated the same crime.

**MOTION:** Rep. Marshall made a motion to **HOLD H 151** in committee. **Motion carried by voice vote.** Rep. Chaney asked he be recorded as voting **Nay**.  
Vice Chairman Hartgen turned the gavel over to **Chairman Chaney**.

**UNANIMOUS CONSENT REQUEST:** **Chairman Chaney** made a unanimous consent request to consider **H 241** next on the agenda. There being no objection, the request was granted.

**H 241:** Rep. David Cannon, District 31, presented **H 241**. This legislation allows the courts, in certain cases, to waive the legal mandate for installation of vehicle ignition interlock systems.

**MOTION:** Rep. Kerby made a motion to send **H 241** to the floor with a **DO PASS** recommendation.  
Sen. Grant Burgoyne, District 16, spoke **in support** of **H 241**, stating the changes postpone installation while an individual is seeking a waiver.  
Elisa Massoth, Attorney, testified **in support** of **H 241**. She described the process for clients charged with driving under the influence (DUI).  
Tom Arkoosh, on behalf of the Idaho Association of Criminal Defense Lawyers (IACDL), testified **in support** of **H 241**, stating he was a part of the negotiated language development.  
Invited to answer a question, Bryan Doxie, Policy Manager, Idaho Department of Transportation, explained **H 241** addresses interlock devices, not license suspension fees.

**VOTE ON MOTION:** **Chairman Chaney** called for a vote on the motion to send **H 241** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** Rep. Cannon will sponsor the bill on the floor.

**H 246:** Rep. Sage Dixon, District 1, presented **H 246**, to further define parental rights by stipulating compelling government interest does not include emergency orders or permit parental rights abridgement. Answering a question, he said the Attorney General's office review condoned the term "emergency orders."

**MOTION:** Rep. Erickson made a motion to send **H 246** to the floor with a **DO PASS** recommendation.  
Tom Arkoosh, on behalf of the Idaho Association of Criminal Defense Lawyers (IACDL), testified **in opposition** to **H 246**. He shared concerns with the legislation not including exceptions such as the divorce court, the minor court, and the Child Protection Act.

**VOTE ON MOTION:** **Chairman Chaney** called for a vote on the motion to send **H 246** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** Rep. Dixon will sponsor the bill on the floor.  
Due to time constraints, **H 191** and **H 59** will be carried over to the meeting of March 1, 2021.

**MOTION:** Rep. Scott made a motion to adjourn. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the Committee, the meeting adjourned at 2:49 p.m.

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Representative Chaney  
Chair

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Andrea Blades  
Secretary